

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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4 TOLL BROTHERS, INC. No. C-08-0987 SC (MEJ)
5 Plaintiff,
6 vs.
7 CHANG SU-O LIN; HONG LIEN LIN; HONG
8 YAO LIN,
9 Defendants.

**ORDER GRANTING DEFENDANTS'
REQUEST FOR PRODUCTION OF
PLAINTIFF'S FINANCIAL RECORDS**

11 AND RELATED CROSS-ACTION. /
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13 Before the Court is the parties' letter brief, filed January 29, 2009, relating to Defendants'
14 request for discovery relief. (Dkt. #94.) Defendants seek an order compelling the production of
15 Plaintiff's financial records concerning a purchase and sale agreement of real property. Defendants
16 contend that Plaintiff's financial records are relevant to show motive. In response, Plaintiff contends
17 its financial records are not relevant to its claims in this case.

18 On February 20, 2009, the Honorable Samuel Conti held a pretrial conference and ruled on
19 certain motions *in limine*. (Dkt. #141.) Specific to this discovery dispute, Judge Conti ruled that
20 motive was relevant to Defendants' claim that Plaintiff breached the covenant of good faith and fair
21 dealing. Accordingly, pursuant to Judge Conti's ruling at the pretrial conference, the Court hereby
22 GRANTS Defendants' request for the production of Plaintiff's financial records.

23 **IT IS SO ORDERED.**

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25 Dated: March 3, 2009



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MARIÁ-ELENA JAMES
United States Magistrate Judge